

MINUTES OF THE CANANDAIGUA CITY COUNCIL MEETING
THURSDAY, JULY 2, 2020, 7:00 P.M.
<https://zoom.us/j/91847526281>

Mayor Palumbo called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Roll Call:

Members Present: Councilmember Ward 1 Nick Cutri
Councilmember Ward 2 Dan Unrath
Councilmember Ward 3 Karen White
Councilmember Ward 4 Erich Dittmar
Councilmember-at-Large Robert O'Brien
Councilmember at-Large Renee Sutton
Councilmember-at-Large James Terwilliger
Councilmember-at-Large Stephen Uebbing
Mayor Bob Palumbo

Also Present: City Manager John D. Goodwin
Corporation Counsel David K. Hou, Boylan Code
Assistant City Manager Rob Richardson

Public Hearing: Proposed Amendments to the City of Canandaigua Comprehensive Plan

Mayor Palumbo opened the public hearing at 7:04 P.M.

Thomas Lyon, Chairperson of the Comprehensive Plan Committee was present to review the amendments to the Comprehensive Plan. This was a community-led project, which included a number of residents from throughout the City as well as members of the Zoning Board of Appeals, Planning Commission and support staff from the City and Town of Canandaigua. This plan covered everything from transportation, to housing, parks, economy, historic preservation, urban forestry, the environment, and intermunicipal services. Our focus areas included: Downtown, down to the lake shore, up in the Northeast Quadrant, Southeast Quadrant, undeveloped areas, or underdeveloped areas and added back Eastern Boulevard (5 and 20). The Committee is recommending that the City establish a Comprehensive Plan Implementation Committee, conduct a comprehensive review and revision of the Zoning throughout the City and conduct a community-wide survey before the next full Comprehensive Plan.

The slide presentation can be found in Appendix B.

Mayor Palumbo closed the public hearing at 7:22 P. M.

Public Hearing: Public input regarding the NYS Office of Community Renewal Project at 170 South Main St., Gleason's Food and Drinks.

Mayor Palumbo opened the public hearing at 7:24 P.M.

City Manager John D. Goodwin reviewed the project which resulted in the creation of one full-time job and 10 part-time jobs which is equal to six full-time equivalents. This exceeded the expected

results on the initial application. This project is complete and operational despite some construction delays and interruptions due to COVID-19. The total project budget was \$378,000 and the grant was for \$100,000 of which \$84,000 went to the restaurant and \$16,000 for grant administration.

There were no comments or questions from the public.

Mayor Palumbo closed the public hearing at 7:29 P.M.

Review of Community Core Values: Councilmember Ward 1 Cutri read the Community Core Values: As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive, Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.

Approval of Minutes:

May 7, 2020

Moved: Councilmember-at-Large Terwilliger

Seconded: Councilmember-at-Large Uebbing

Vote Result: Carried unanimously by voice vote (9-0)

June 4, 2020

Moved: Councilmember-at-Large Terwilliger

Seconded: Councilmember Ward 1 Cutri

Vote Result: Carried unanimously by voice vote (9-0)

Recognition of Guests:

- Ben Frevert, From Roctricity was present to review the Community Choice Aggregation (CCA) program, which aggregates the purchase of energy to get a better energy price for residents who sign up for this program. This, along with another program option “Community Solar”, is aimed at reducing the carbon emissions and electricity costs while protecting consumers. Mr. Frevert reviewed the benefits of CCA, what organizations can implement CCA and how CCA works.

The slide presentation can be found in Appendix C.

- Michael DeBadts, Partner with Mengel Metzger Barr & Co. LLP reviewed the results of the City’s 2019 Financial Statements. He reported that the City had a positive year with slight increases in the fund balances of the major operating funds. The City continues to utilize the long-term capital plan that’s in place by setting aside monies in the capital reserve. The financial statements received an unmodified opinion which means they are free from material misstatement. The management letter noted a couple of minor procedure items.

The financial statements can be found on the City’s website.

Committee Meetings:

Planning Committee: No Meeting

Finance Committee: No Meeting

Environmental Committee: June 16, 2020 (Appendix A)

- Storm Water Management Program (MS4)
- Sewer Fund Capital Budget Amendment
- Discussion on Summer Camp
- Electronic Supply Agreement for CCA
- Renaming Squaw Island

Ordinance Committee: June 16, 2020 (Appendix A)

- Community Equity Discussion
- Police Accountability Discussion
- Executive Session

Resolutions:

Resolution #2020-045:

Moved: Councilmember Ward 4 Dittmar

Seconded: Councilmember Ward 3 White

A RESOLUTION AUTHORIZING A SEWER FUND CAPITAL BUDGET AMENDMENT TO REPLACE THE EMERGENCY GENERATOR AT TOWNE HARBOR LIFT STATION

WHEREAS, last year the emergency generator at the Towne Harbor lift station developed mechanical problems; and

WHEREAS, the existing unit is approximately 40 years old, and although the manufacturer is still in business, parts to repair the engine are not currently available so the replacement of this unit, which was already in the Sewer Fund Capital Plan, was included in the 2020 budget; and

WHEREAS, the project entails the removal of the existing emergency generator and fuel tank, and installation of replacement with a new modular option that includes the engine, generator and fuel tank in one unit; and

WHEREAS, the project will require electrical work and some improvements to the lift station enclosure, including the installation of drywall to meet the Fire Code and new duct work to discharge the engine exhaust; and

WHEREAS, the total price of the proposed work is estimated at \$48,550, but only \$35,000 was budgeted for the project; and

WHEREAS, Staff recommends a Sewer Fund Capital Budget Amendment of \$13,550 to cover the remaining cost of the replacement, and this recommendation was reviewed and approved at the June 16th Environmental Committee meeting;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby authorizes a Sewer Fund Capital Budget Amendment of \$13,550 from other sewer fund capital projects that have sufficient funding to be transferred to cover the remaining cost of the generator replacement.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large O'Brien, Councilmember at-Large Sutton, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing and Mayor Palumbo

NOES: None

Resolution #2020-046:

Moved: Councilmember-at-Large Uebbing

Seconded: Councilmember Ward 1 Cutri

**A RESOLUTION APPROVING THE COMMUNITY CHOICE AGGREGATION
ELECTRICITY SUPPLY AGREEMENT**

WHEREAS, effective April 21, 2016, the New York State Public Service Commission (“PSC”) issued an “Order Authorizing Framework for Community Choice Aggregation Opt-Out Program” “authoriz[ing] the establishment of Community Choice Aggregation programs by municipalities statewide”; and

WHEREAS, effective March 16, 2018, the PSC issued an “Order Approving Joule Assets’ Community Choice Aggregation Program with Modifications” that authorized Joule Assets, Inc. (“Joule”) to serve as a Community Choice Aggregation Program Administrator on behalf of cities, towns, and villages in New York State; and

WHEREAS, on November 7, 2019, the City, adopted local law 2019-003, “A Local Law to Establish a Community Choice Aggregation Program in The City of Canandaigua”, enabling a Community Choice Aggregation Program in the City (the “Program”); and

WHEREAS, on April 2, 2020, the City, by Resolution No. 2020-030, resolved to engage the services of Joule in conjunction with Roctricity, LLC (“Roctricity”) to, among other things, act as Program Administrator on behalf of the City for the Program, and thereafter entered into a municipal energy services agreement with Joule and Roctricity for performance of such services; and

WHEREAS, the City seeks to obtain competitive bids from electricity suppliers (each a “Supplier”) pursuant to a request for proposal that shall include provision of a 100% renewable supply option (the “Supply RFP”) that is intended to result in a three-party Electricity Supply Agreement between the selected Supplier, the City and Joule that, among other things, will govern the terms of provision of the electricity supply by Supplier for the Program; and

WHEREAS, Joule has prequalified prospective bidders based on creditworthiness and competence; has executed the public outreach campaign in the City as required by the New York State Department of Public Service, and has obtained (or will be obtaining) utility data from the local distribution utility, all of which is necessary to solicit bids through the Supply RFP; and

WHEREAS, the “Electricity Supply Agreement” (in the form attached hereto), or ESA, has been reviewed and approved by City Corporation Counsel, and has been deemed to provide benefits,

adequate protections, and minimize risk to the City, as well as to residential and small commercial utility customers therein; and

WHEREAS, Staff recommends approving the ESA and authorizing the City Manager to execute the agreement, and this recommendation was reviewed and approved at the June 16th Environmental Committee Meeting;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby authorizes Joule to issue a Supply RFP consistent with the provisions of this Resolution, with bids to be evaluated based upon compliance with the specifications of the Supply RFP including, without limitation, price and tenor parameters, and Supplier's acceptance of all material terms of the Electricity Supply Agreement; and

BE IT FURTHER RESOLVED, that City Council approves the Electricity Supply Agreement in the form attached to this Resolution, such form to be included in the Supply RFP; and

BE IT FURTHER RESOLVED, that Joule shall, among other things, manage the energy procurement process, prepare and issue the Supply RFP, and make recommendations for award to the City; provided however, the City reserves the right to make the final award decision; and

BE IT FURTHER RESOLVED, subject to the conditions that the awarded Supplier has been prequalified as required by Joule and that the awarded bid meets the specifications established in the Supply RFP, City Manager is authorized to execute an Electricity Supply Agreement on behalf of the City with any changes deemed necessary in City Manager's reasonable discretion with the awarded Supplier and Joule in a timely fashion; provided, however, the City is under no obligation to award the Supply RFP should these conditions not be met.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large O'Brien, Councilmember at-Large Sutton, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing and Mayor Palumbo

NOES: None

Resolution #2020-047:

Moved: Councilmember-at-Large O'Brien

Seconded: Councilmember at-Large Sutton

**A RESOLUTION AWARDING BID FPR PRV AND GUARD VALVES AND AUTHORIZING
A BUDGET AMENDMENT**

WHEREAS, the 2020 Water Fund Capital Budget included the replacement of Pressure Reducing Valve and replacement the associated butterfly guard valves (\$20,000) at the Water Treatment Plant; and

WHEREAS, there are other butterfly guard valves that were planned to be rebuilt this year as part of maintenance, but were found to be beyond the point of rebuilding and also need to be replaced and a BID alternate was added to the BID for the above referenced project; and

WHEREAS, in order to add the additional replacement butterfly guard valves a budget amendment is needed in the amount of \$10,000 and there is sufficient funds in the Water Fund Capital Reserve; and

WHEREAS, four bids were received for the above mentioned work with the lowest responsible bidder being Villager Construction for a total amount of \$30,000 (\$14,250 for the originally planned work and \$15,750 for the additional butterfly guard valves); and

WHEREAS, Staff recommends awarding the bid to Villager Construction and authorizing the budget amendment to facilitate all of the above referenced work;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby authorizes a Water Fund Capital Budget Amendment of \$10,000 from the Water Fund Capital Reserve; and

BE IT FRUTHER RESOLVED, that the City Council hereby awards the bid for the PRV, Valves and Pipe to Villager Construction, 425 Old Macedon Center Road, Fairport, NY 14450 for the total amount of \$30,000 (\$14,250 for the originally planned work and \$15,750 for the additional butterfly guard valves).

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large O'Brien, Councilmember at-Large Sutton, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing and Mayor Palumbo

NOES: None

Resolution #2020-048:

Moved: Councilmember Ward 1 Cutri

Seconded: Councilmember Ward 3 White

**RESOLUTION APPROVING SETTLEMENT OF PENDING TAX ASSESSMENT
LITIGATION WITH FORT HILL HOUSING DEVELOPMENT FUND COMPANY, INC.,
CONIFER FORT HILL ASSOCIATES, L.P., AND
AUDITORIUM AT FORT HILL, LLC.**

WHEREAS, there is currently tax assessment litigation pending between the City of Canandaigua and Fort Hill Housing Development Fund Company, Inc., Conifer Fort Hill Associates, L.P., and Auditorium at Fort Hill, LLC in the New York State Supreme Court, Ontario County, for the 2018/2019 tax assessment year (Index number 118962-2018) entitled *Fort Hill Housing Development Fund Company, Inc., Conifer Fort Hill Associates, L.P., and Auditorium at Fort Hill, LLC v. The Assessor(s) for the City of Canandaigua, the Board of Assessment Review for the City of Canandaigua, and the City of Canandaigua in the County of Ontario, New York and the Canandaigua City School District* relating to property located at 235 North Main Street,

Canandaigua, New York 14424 (tax identification # 71.17-1-35.21) (hereinafter, the “Apartment Property”) and 20 Fort Hill (tax identification # 71.17-1-35.22) (hereinafter, the “Theater Property”) in the City of Canandaigua; and

WHEREAS, there is also tax assessment litigation pending between the same parties for the 2019/2020 tax assessment years (Index number 125277-2019) relating to the Apartment Property, but not the Theater Property; and

WHEREAS, there aforesaid tax assessment proceedings are hereinafter referred to as the “Litigation”; and

WHEREAS, the Apartment Property was assessed at \$2,508,000.00 on the 2018/2019 assessment roll, \$4,808,900.00 on the 2019/2020 assessment roll, and \$3,738,360.00 on the 2020/2021 assessment roll; and

WHEREAS, the Theater Property was assessed at \$665,000 on the 2018/2019 assessment roll; and

WHEREAS, after reviewing all documentation, the assessor and City Corporation Counsel recommend to the City Council that the Litigation be settled; and

WHEREAS, it is proposed that, in settlement of the Litigation, the Litigation shall be discontinued; and

WHEREAS, it is proposed that, in settlement of the Litigation, the assessment of the Apartment Property shall be reduced to the following assessment levels:

2018/19: \$2,352,580.00

2019/20: \$2,253,898.00 (based on a full value of \$2,323,607.00 and a 97% equalization rate)

2020/21: \$1,241,307.00 (based on a full value of \$1,293,029.00 and a 96% equalization rate); and

WHEREAS, it is proposed that, in further settlement of the Litigation, the assessment of the Theater Property be reduced to \$115,000.00 on the 2018/2019 assessment roll; and

WHEREAS, it is proposed that, in settlement of the Litigation, Real Property Tax Law Section 727 shall not apply to this settlement; and

WHEREAS, it is proposed that, in settlement of the Litigation, full refunds shall be paid by the City of Canandaigua, County of Ontario, and Canandaigua City School District based on the reduced assessments for the years at issue within 45 days of receiving a demand for such refunds, and that interest shall only be owed on the refunds to the extent such refunds are not paid within the aforesaid time period;

NOW, THEREFORE, BE IT RESOLVED, that settlement of the Litigation on the terms set forth above, including the reduction of the assessment of the Apartment Property to \$2,352,580.00 on the 2018/19 assessment roll, \$2,253,898.00 on the 2019/20 assessment roll, and \$1,241,307.00 on the 2020/21 assessment roll and reduction of the assessment of the Theater Property to \$115,000.00 on the 2018/2019 assessment roll, and payment of refunds, and waiver of the application of Real Property Tax Law Section 727 is hereby approved; and

BE IT FURTHER RESOLVED that City Corporation Counsel may seek Court approval for the aforesaid settlement; and

BE IT FURTHER RESOLVED that the City Manager and City Corporation Counsel are authorized to execute all documents necessary to effectuate the referenced settlement.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large O'Brien, Councilmember at-Large Sutton, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing and Mayor Palumbo

NOES: None

Resolution #2020-049:

Moved: Councilmember Ward 2 Unrath

Seconded: Councilmember Ward 1 Cutri

A RESOLUTION RETAINING BOYLAN CODE LLP AS CORPORATION COUNSEL

WHEREAS, on at the City Council meeting held August 3, 2017, City Council appointed Boylan Code, LLP as Corporation Counsel; and

WHEREAS, the current agreement expired July 31, 2019, but has continued on a month-to-month basis; and

WHEREAS, the City Council is desirous of continuing to retain the services of Boylan Code, LLP to serve as Corporation Counsel for a term to expire December 31, 2021 pursuant to the terms and conditions as set forth in the attached engagement agreement;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the law firm of Boylan Code LLP is hereby retained as Corporation Counsel of the City of Canandaigua, New York pursuant to the Charter of the City of Canandaigua, and the laws of the State of New York; and

BE IT FURTHER RESOLVED that Mayor Bob Palumbo is hereby authorized and directed to execute an agreement between the City of Canandaigua and the law firm of Boylan Code LLP in substantially the same form as attached hereto.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large O'Brien, Councilmember at-Large Sutton, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing and Mayor Palumbo

NOES: None

Resolution #2020-050:

Moved: Councilmember at-Large Sutton
Seconded: Councilmember Ward 3 White

**A RESOLUTION SUPPORTING THE RENAMING OF COURT STREET
TO SUSAN B. ANTHONY LANE**

WHEREAS, Susan B. Anthony was an American reformer and human rights activist who played a pivotal role in the social justice advancements made in the United States during the 19th and 20th Centuries; and

WHEREAS, in addition to having a leading role in the abolitionist movement Susan B. Anthony, was also a national leader in the Women's Suffrage Movement and, along with Elizabeth Cady Stanton, formed a friendship that was pivotal for them and for the women's movement as a whole; and

WHEREAS, on November 1, 1872, three years after founding the National Woman Suffrage Association, Susan B. Anthony reported to a voter registration office in Rochester, New York's 8th ward demanding to be registered, quoting the newly ratified Fourteenth Amendment which stated that "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States" as justification for registration;

WHEREAS, expecting to be turned away, on November 5th, 1872, Susan B. Anthony reported to a polling location with fourteen (14) other women and officially voted in an election leading to her arrest and subsequent federal trial; and

WHEREAS, on June 17, 1873, *United States v. Susan B. Anthony* began in the City of Canandaigua, New York, gaining national coverage fueling a national debate on Women's Suffrage; and

WHEREAS, although the controversial proceedings led to her conviction, prior to sentencing she delivered what has been called "the most famous speech in the history of the agitation for woman suffrage" and refused to pay the \$100 fine; and

WHEREAS, although another forty-seven (47) years passed before the 19th Amendment was ratified, Susan B. Anthony's dream of Women's Suffrage became a reality on August 18, 1920 stating that "the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex..."; and

WHEREAS, 2020 marks the 100th Anniversary of the 19th Amendment, and to commemorate her contributions to Civil, Human, and Women's Rights as well as the City's role in history, we respectfully ask the Ontario County Board of Supervisors to rename Court St, which runs behind the County Court House where she was tried, to Susan B. Anthony Lane;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby applauds and supports the renaming Court Street to Susan B. Anthony Lane and proudly welcomes the opportunity to commemorate Susan B. Anthony's immeasurable contributions

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large O'Brien, Councilmember at-Large

Sutton, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing and Mayor Palumbo

NOES: None

Ordinances: None

Local Laws: None

Manager's Report: City Manager John D. Goodwin reported the following:

- July 4th- we are not having the parade or the fireworks like we all wish we could, but we are celebrating in a different way where we're, a socially distant way, where we're decorating our homes. And we do have a number of different awards that we will be having. You can find all the families and businesses that are participating on our website.
- We have been having some issues in our parks and I wanted to remind everyone in the community, that we do have a carry-in, carry-out policy. What that means is that, for all of the waste that you bring in, you are required to take it back with you.
- And then lastly, with all of our public parks, and our public restrooms, and public facilities are far all of our enjoyment, and I ask everyone to treat it respectfully as if it was your own, so that we can all continue to enjoy it.

Appointments:

Mayor Palumbo appointed the Diversity Committee with members from the Community and City Council. All information can be found on the City's website.

Miscellaneous: None

Adjournment

Councilmember Ward 3 White moved to adjourn the regular session at 9:01 PM. Councilmember at-Large Sutton seconded the motion.

Vote Result: Carried unanimously by voice vote (9-0).

Nancy C. Abdallah
City Clerk-Treasurer

Appendix A
ENVIRONMENTAL COMMITTEE & ORDINANCE COMMITTEE
Tuesday, June 16, 2020
7:00 PM
<https://zoom.us/j/95421094965>

Environmental Committee: Karen White, Chair
Robert O'Brien
Renée Sutton
Dan Unrath

Other Councilmembers: Mayor Palumbo, Nick Cutri, Erich Dittmar, Jim Terwilliger, Steve Uebbing **(7:31 p.m.)**

Staff: John D. Goodwin, Rob Richardson, David Hou, Jim Sprague, Heather Pogue, Chief Hedworth

1. Storm Water Management Program (MS4)

The National Pollutant Discharge Elimination System (NPDES) MS4 permit, which the City operates under, requires permittees to develop and implement a comprehensive Storm Water Management Program (SWMP) that must include pollution prevention measures, treatment or removal techniques, monitoring, use of legal authority, and other appropriate measures to control the quality of storm water discharged to the storm drains and thence to waters of the United States. The City has completed its SWMP plan, and Jim Sprague has been invited to the meeting to discuss the plan and answer Council questions.

Jim Sprague was at the meeting, and provided a brief overview of the agenda topic. Jim then reviewed the MS4, which covers the six minimum control measures showing what we did to address stormwater issues this year. Essentially, not much has changed since last year so the City did the same thing. The City is essentially fully built out, so barring major development within City limits this report will not change much year to year. In a community with more active development the report would vary.

Renée stated we should make the links more accessible, and asked John to be more vigilant to create URLs that are easier to type. John pointed out that several technology updates will be discussed at the next committee meeting, and will follow up with IT to see if we can make custom URLs.

Joel Freedman came on to ask the City to protect ducklings from falling into storm water drains- several Councilmembers spoke to Joel about this. John added both incidents happened on private property, and Karen asked if we can contact the property owners to make a request. John added that doing this could impact the drains, and create additional problems. John asked what our scope is- are we looking to retrofit every drain in the City? That could be expensive. Dan suggested we could just use Chicken Wire, but he also doesn't know if that would be a viable solution. Bob asked Jim what might work and not cause a problem down the road- Jim stated these are old style drains that isn't used in the City anymore. As we rebuild catch basins, we remove them. The

drains we use for City property wouldn't allow for ducklings to fall through, and continue to use the DOT recommended grates.

2. Sewer Fund Capital Budget Amendment

Last year the emergency generator at the Towne Harbor lift station developed mechanical problems. The existing unit is approximately 40 years old, and although the manufacturer is still in business, parts to repair the engine are not currently available. Therefore, the replacement of this unit, which was already in the sewer fund capital plan, was included in the 2020 budget. Staff would like to remove the existing emergency generator and fuel tank, and replace it with a new modular option that includes the engine, generator and fuel tank in one unit. The project will require electrical work and some improvements to the lift station enclosure, including the installation of drywall to meet the Fire Code and new duct work to discharge the engine exhaust. The total price of the proposed work is estimated at \$48,550, but only \$35,000 was budgeted for the project. Staff requests a Sewer Fund Capital Budget Amendment of \$13,550 to cover the remaining cost of the replacement. Jim Sprague will be at the meeting to discuss the request and answer questions for Council.

Jim Sprague spoke to this agenda item as well, who provided an overview of the agenda item. Repair parts are no longer available for the 40-year-old piece, so it now needs to be switched out. Renée asked for the quote data, and John said it can be provided. She also asked what the delta was creating the amendment, and Jim said it's likely an old number from the Capital Plan. Jim pointed out this is a critical project, and Robert agreed with him. John added this is a sewer fund item that doesn't impact the general fund.

Robert moved to approve the request, Renée seconded.

4 in favor, 0 opposed.

Motion carries to Full City Council.

3. Discussion on Summer Camp

On May 27th, City Staff made the decision to cancel all summer programs in the City of Canandaigua. The City held off as long as possible prior to making this decision, as several surrounding municipalities made the decision to cancel summer programming sooner. Despite the Governor stating summer camps could run, the State provided municipalities with no guidance on what the guidelines and restrictions on programs would be until June 9th. The guidance towards running summer programming offered in the 15-page document creates serious concerns, and the restrictions/guidelines required to run may present fiscal and logistical challenges to great to overcome. Recognizing the importance of these programs to the community, the City is exploring the possibility of alternative summer programming, but it will not be on the scale or the same offer as in previous years. This item was added to the agenda for further discussion.

We discussed this after item #4. John provided a brief overview of the agenda item. Staff has reviewed the guidelines provided by the State, and John thinks we can provide a much smaller, limited offering. Heather Pogue, Recreation Supervisor, discussed the efforts/progress made to try and put a program together. We have enough staff to run 4 locations with 19 staff, staff would have to wear a mask. Instead of using the school and Sonnenberg, we will use Outhouse Park and Jefferson Park. We will have six weeks instead of 5, so start date will be July 6th. This will allow additional resources to come in and time for Staff training. Those who registered first will get in,

so it's first come first served with a wait list. Renée asked if there was any priority to City residents, and Heather said it's open to the school district before others. Normally we max out at 40 kids per site, so we will lose about 15 kids per site. Children will not be required to wear masks as long as camp locations are closed off to the public during hours of operation.

4. Electronic Supply Agreement for CCA

On April 2, 2020, City Council passed Resolution No. 2020-030 selecting Joule, in conjunction with Roctricity, LLC ("Roctricity"), to be the 3rd Party Administrator for the City of Canandaigua's Community Choice Aggregation (CCA) Program. Part of that work includes procurement, and Joule needs authorization to issue an RFP and obtain bids for 100% Renewable Energy on the City's behalf. By approving the Electronic Supply Agreement and authorizing its execution, Council will enable Joule to manage the energy procurement process, prepare and issue the Supply RFP, and make recommendations for award to the City while reserving the right for the City to make the final award decision. A draft resolution and the agreement are attached for review.

We moved to this after Item #2. David added we are still working on finalizing the agreement with Joule/Roctricity, and will share when completed. They need our approval to accept a bid.

Renée moved to approve the ESA, Dan seconded.

4 in favor, 0 opposed.

Motion carries to Full City Council meeting.

5. Renaming Squaw Island

Recently, a community member named Edward Randolph raised concerns with the name "Squaw Island;" a wildlife management area under the jurisdiction of the New York State Department of Environmental Conservation. Mr. Randolph notes that the term "squaw" is a derogatory term that is meant to cast a Native American woman in a negative light, and that other communities have taken action regarding the same topic. In 2015, the Seneca nation petitioned the City of Buffalo to change the name of their own Squaw Island to what is now known as Unity Island. While the City does not have jurisdictional authority to change the name, Mr. Randolph is requesting the City support his petition to the State to have Squaw Island renamed "Treaty Island." Mr. Randolph has been invited to the meeting to discuss his request.

Karen stated we would like to be part of the conversation, and we will be moving this to the Planning Committee. Steve was happy to accept it, and stated that there will be several other players involved. Karen thanked Edward Randolph for bringing this topic to our attention.

Dan motioned to adjourn, Robert seconded.

Meeting adjourned at 7:58 p.m.

Ordinance Committee: Renée Sutton, Chair
Robert O'Brien
Karen White
Erich Dittmar

Other Councilmembers: Mayor Palumbo, Nick Cutri, Dan Unrath, Jim Terwilliger, Steve Uebbing

Staff: John D. Goodwin, Rob Richardson, David Hou, Chief Hedworth, James Sprague, Heather Pogue

We started with the Ordinance Committee Meeting first. Meeting came to order at 7:01 p.m.

1. Community Equity Discussion

Last week, the City of Canandaigua was the site for two separate Black Lives Matter protests which has also taken over the national discourse. From the stories told at the protests and the fact that each was well attended during a pandemic, it was made clear that what happened to George Floyd had a strong impact on our community and that there are areas for the community to improve upon. Many members of the community, including Councilmembers, School District Officials, and City Staff feel strongly that it is important to keep the conversation going and find ways to ensure the City of Canandaigua is a safe, inclusive space for everyone. This item was added to the agenda for further discussion.

Renée passed the item to Bob, who stated he would be putting together a Diversity Committee. He has spoken to several people, and most members of Council are interested. He plans to have a large committee with potentially 3-4 subcommittees. He is still waiting to hear back from some stakeholders to determine representation. He hopes to appoint the full committee at the July meeting- if anyone is interested his e-mail address is on the City website. Karen was pleased to hear so many people want to be involved, especially City Council. Renée agrees with Karen, and thanks Bob for his willingness to start and maintain a meaningful community conversation. Someone asked if there will be a task force to look at law enforcement, and Renée said that is the next agenda item. She sees this being an ongoing conversation with the Ordinance Committee. John pointed out that there will be a separate task force per the Governor's Executive Order, which will report to Ordinance.

2. Police Accountability Discussion

The recent murder of George Floyd by an on-duty Minneapolis Police Officer has sparked a backlash against law enforcement agencies nationwide. Unfortunately, the horrific death of Mr. Floyd is not an isolated incident and just one example of police brutality against people of color. These tragedies have put Police Departments under increased scrutiny from the public. Despite being an accredited force that is viewed positively by the community, some are calling for increased oversight of the Canandaigua Police Department. This item was added to the agenda for further discussion.

We switched back to the Environmental Agenda while we waited for the Chief to join the meeting.

Meeting reconvened at 7:58 p.m.

Renée wanted this added to the agenda to continue the discussion on systemic racism and ensure these issues don't exist in our own department. The Citizen Survey showed residents are happy with the services provided by the City, but that gratitude doesn't absolve us from having a conversation. She thanked Chief Hedworth for the memo he sent out, which showed her things about our department she did not know. She also thanked him for his speedy turn around with data, and the Chief's willingness to participate in the discussion. Her goal is to provide a forum to both residents and the Chief, and to make sure our department wields its power and authority appropriately.

Chief Hedworth made it clear that all departments are different, and that he and his officers in no way support or condone the recent incidents involving law enforcement. He has already begun having discussions with community leaders, and encouraged the memo he provided Council be made public to show the community his department is committed to protecting and serving our residents the right way. He welcomes members of Council to come to the Police Department, see what their doing, and create opportunities to open up dialogue. He looks forward to having the opportunity to participate in this discussion moving forward. Mike Yarger applauded the Chief for his use of community policing, which has helped the department improve relationships and promote the department in a positive light.

Renée asked if Council had the chance to review what the Chief sent out. Steve wants to ensure there is a discussion on cultural competency and everyone feels welcome. Several members of Council thanked the Chief, and stated they want to be part of this on-going conversation. Renee requested all Councilmembers read the data and begin thinking of tangible deliverables at our next Ordinance Committee meeting. Jim Terwilliger agrees with this path. John mentioned the Governor's Executive Order, which will require him to pull together members of the community to participate in a discussion on policing. The City will need to create and adopt a plan by April 1, 2021, but both John and the Chief think the City will be able to do this without problem- many of the requirements are part of accreditation. John plans to have Sim Covington about doing racial diversity training in person with Staff.

Karen motioned to adjourn to Executive Session, Robert seconded.

Meeting adjourned to Executive Session at 8:43 p.m.

3. Executive Session:

- **Notice of Claims/Litigation**
- **Personnel History of an Individual & Corporation**

Motioned to adjourn Executive Session, seconded.

Executive Session adjourned at 9:20 p.m.

Robert motioned to adjourn, Karen seconded.

Meeting adjourned at 9:21 p.m.